

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

SAGINAW TOWNSHIP POLICE
DEPARTMENT, et al.,

Plaintiffs,

Case. No. 20-10100

v.

Honorable Thomas L. Ludington
Magistrate Judge Patricia T. Morris

AIRRICK BEY,

Defendant.

ORDER ADOPTING REPORT & RECOMMENDATION AND DISMISSING CASE

Defendant Airrick Bey is being prosecuted in state court for ordinance violations. ECF No. 1 at PageID.59. He has sought to remove that action to this Court. ECF No. 1. The matter was referred to Magistrate Judge Patricia Morris. ECF No. 4. On February 25, 2020, Judge Morris issued her report, concluding that the Court lacks jurisdiction and recommending dismissal of the case. ECF No. 7. If this recommendation is accepted, it moots Defendant's application to proceed *in forma pauperis* ("IFP"). ECF No. 2.

Although the magistrate judge's report states that the parties to this action could object to and seek review of the recommendation within fourteen days of service of the report, neither party timely filed any objections. The election not to file objections to the magistrate judge's report releases the Court from its duty to independently review the record. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). The failure to file objections to the report and recommendation waives any further right to appeal. *Id.*

Accordingly, it is **ORDERED** that the magistrate judge's report and recommendation, ECF No. 7, is **ADOPTED**.

It is further **ORDERED** that the case is **DISMISSED** and Plaintiff's IFP application is **DENIED** as moot.

Dated: March 13, 2020

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon **Airrick Bey**, 823 North Mason Street, Saginaw, MI 48602 by first class U.S. mail on March 13, 2020.

s/Kelly Winslow
KELLY WINSLOW, Case Manager